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| 10/708,766      | 03/24/2004  | Robert A. Parrott    | 22.1543             | 2765             |

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EXAMINER

SMITH, MATTHEW J

ART UNIT PAPER NUMBER

3672

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/708,766

Applicant(s)

PARROTT, ROBERT A.

Examiner

Matthew J. Smith

Art Unit

3672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-15, 20 and 21 is/are allowed.
- 6) ☒ Claim(s) 1, 3-5, 16-19 and 22-32 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>29Mar04</u> . | 6) <input type="checkbox"/> Other: ____  |

### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 740 (fig. 11).

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

Claims 16, 19, and 32 are objected to because of the following informalities: In claim 16, last line, after "downhole", --tool— is missing. The preambles of claims 19 and 32 are inaccurate. Claim 19 recites "A connection system" instead of --The tool string connector—as written in claims 17 and 18. Claim 31, from which claim 32 depends, is an apparatus claim-not a method claim. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 22-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Huber et al. (6059042).

Huber et al. disclose connecting two downhole perforating guns 18, 28 in series by compressing, in rack 24b, a sleeve 10b and rotating one gun 18 into threaded, axially-restrained engagement with the other gun; locking the tools together in a predetermined alignment by decompressing, releasing the sleeve, at rack 24b wherein the sleeve engages each tool to prevent the tools from rotating out of threaded engagement; unlocking the tools by compressing, with rack 24b, the sleeve, wherein the sleeve disengages from one of the downhole tools; disconnecting the tools by rotating one tool out of threaded engagement with the other tool; and no person comes into physical contact (gun and connection inside bop 12) with the guns.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3672

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boynton (2296198) in view of Huber et al.

Boynton discloses a system for forming a tool string, the system comprising: two downhole tubulars 1B adapted to be coupled in series via a tubular connection body 3B, having slots, wherein the connection restrains axial translation of one tubular with respect to the other; a compressible sleeve 3Ba arranged between the two tubulars and the sleeve adapted to facilitate axial rotation between the tubulars when substantially compressed or axially deflect; the sleeve adapted to impede axial rotation between the tubulars when substantially decompressed; the connection having ribs 1Ba formed on one tubular and grooves 2Bc formed on the other tubular, the grooves adapted to receive the ribs; and the tool string is formed at a surface location before being run into a wellbore but not two downhole tools, the tools being perforating guns, or the tool string being a perforating string.

Huber et al. present a connection 10b for two downhole tools that are perforating guns and the tool string is a perforating string.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to connect two perforating guns, as presented by Huber et al., with the Boynton connection since Boynton suggests other uses for the connection (page 4, col. 2, lines 39-42).

Claims 16-19, 31, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (5452923) in view of Huber et al.

Smith discloses an apparatus for aligning two downhole tubulars, comprising: a compressible body 20 adapted to connect with one downhole tubular and a tapered element 27 formed on one end of the body, the tapered element adapted to engage the other downhole tubular; the tubular body adapted to deflect to allow the first downhole tool to engage the second downhole tubular; the tubular body adapted to substantially decompress to engage the tapered element with the mating tapered element of the second downhole tubular; but not the first downhole tubular and the second downhole tubular are perforating guns.

Huber et al. present a connection 10b for two downhole tools that are perforating guns and the tool string is a perforating string.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to connect two perforating guns, as presented by Huber et al., with the Smith connection in order to provide improved torsional resistance (Smith, col. 2, line 21).

***Allowable Subject Matter***

Claims 6-15, 20, and 21 are allowed.

Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ackroyd et al. (6481498) depict connections made up without human contact.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Smith whose telephone number is 571-272-7034. The examiner can normally be reached on T-F, 9-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J. Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Bagnell  
Supervisory Patent Examiner  
Art Unit 3672

MJS *MJS*  
26 October 2005